

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Griffin Sherbert	Team: Squad #8	CCRB Case #: 201703040	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 04/02/2017 11:30 PM, Monday, 04/03/2017 , Monday, 04/10/2017 , Monday, 04/24/2017	Location of Incident: [REDACTED]	Precinct: 107	18 Mo. SOL 10/2/2018	EO SOL 10/2/2018	
Date/Time CV Reported Wed, 04/19/2017 6:39 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Wed, 04/19/2017 6:39 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Christophe Gallino	21475	959646	107 PCT
2. POM Joseph Read	23291	955365	107 PCT
3. POM Anthony Sgueglia	17261	959225	107 PCT
4. POF Elvira Kolenovic	28075	955021	107 PCT
5. POM Paramveer Singh	16844	958076	107 PCT
6. POM Matthew Klein	17176	952939	107 PCT
7. POM Timothy Gorman	08359	954888	107 PCT
8. SGT Robert Wong	02490	948442	107 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Elvira Kolenovic	Abuse: On April 2, 2017, Police Officer Elvira Kolenovic entered § 87(2)(b) in Queens.	[REDACTED]
B.POM Anthony Sgueglia	Abuse: On April 2, 2017, Police Officer Anthony Sgueglia entered § 87(2)(b)	[REDACTED]
C.POM Christophe Gallino	Abuse: On April 2, 2017, Police Officer Christopher Gallino entered § 87(2)(b)	[REDACTED]
D.POM Joseph Read	Abuse: On April 2, 2017, Police Officer Joseph Read entered § 87(2)(b)	[REDACTED]
E.POM Joseph Read	Abuse: On April 2, 2017, Police Officer Joseph Read threatened § 87(2)(b) with the use of force.	[REDACTED]
F.POF Elvira Kolenovic	Abuse: On April 2, 2017, Police Officer Elvira Kolenovic forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
G.POM Anthony Sgueglia	Abuse: On April 2, 2017, Police Officer Anthony Sgueglia forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
H.POM Christophe Gallino	Abuse: On April 2, 2017, Police Officer Christopher Gallino forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
I.POM Joseph Read	Abuse: On April 2, 2017, Police Officer Joseph Read forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
J.SGT Robert Wong	Abuse: On April 10, 2017, Sergeant Robert Wong entered § 87(2)(b)	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
K.POM Anthony Sgueglia	Abuse: On April 24, 2017, Police Officer Anthony Sgueglia entered § 87(2)(b)	
L.POM Paramveer Singh	Abuse: On April 24, 2017, Police Officer Paramveer Singh entered § 87(2)(b)	
M.POM Timothy Gorman	Abuse: On April 24, 2017, Police Officer Timothy Gorman entered § 87(2)(b)	
N.POM Matthew Klein	Abuse: On April 24, 2017, Police Officer Matthew Klein entered § 87(2)(b)	
O.POM Anthony Sgueglia	Abuse: On April 24, 2017, Police Officer Anthony Sgueglia threatened to remove § 87(2)(b) to the hospital.	
P.POM Paramveer Singh	Abuse: On April 24, 2017, Police Officer Paramveer Singh threatened to remove § 87(2)(b) to the hospital.	

Case Summary

On April 19, 2017, § 87(2)(b) filed the following complaint with the CCRB via the Call Processing System.

On April 2, 2017, at approximately 11:30 p.m., § 87(2)(b) was in his apartment, located at § 87(2)(b) § 87(2)(b) in Queens, with his mother, § 87(2)(b) when Police Officer Elvisa Kolenovic, Police Officer Anthony Sgueglia, Police Officer Christopher Gallino, and Police Officer Joseph Read, all of the 107th Precinct, entered the apartment (**Allegations A, B, C, and D: Abuse of Authority, § 87(2)(g)**). Inside the apartment, PO Read allegedly told § 87(2)(b) that the officers “should take § 87(2)(b) outside and beat the crap out of him,” after he removed a knife from his jacket pocket (**Allegation E: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) was placed into handcuffs and PO Kolenovic, PO Sgueglia, PO Gallino, and PO Read removed § 87(2)(b) from his apartment where he was taken by EMS to § 87(2)(b) (**Allegations F, G, H, and I: Abuse of Authority, § 87(2)(g)**).

On April 10, 2017, at approximately 9:00 p.m., Sergeant Robert Wong of the 107th Precinct, along with an unknown amount of officers and EMTs, entered § 87(2)(b)'s apartment (**Allegation J: Abuse of Authority, § 87(2)(g)**). After the responding EMTs evaluated § 87(2)(b) on scene and determined that he did not need to be removed to the hospital, all officers and EMTs left § 87(2)(b)'s apartment.

On April 24, 2017, at approximately 7:00 p.m., § 87(2)(b) was in his apartment when PO Sgueglia, Police Officer Paramveer Singh, Police Officer Timothy Gorman, and Police Officer Matthew Klein, all of the 107th Precinct, entered the apartment (**Allegations K, L, M, and N: Abuse of Authority, § 87(2)(g)**). Once inside, EMS was requested to respond to the location, and PO Sgueglia and PO Singh “demanded that § 87(2)(b) go to the hospital” (**Allegations O and P: Abuse of Authority, § 87(2)(g)**).

There is video evidence for all three incident dates, captured and provided to the investigation by § 87(2)(b). Six videos were recorded on April 2, 2017 (Board Review 01-06), one video was recorded on April 10, 2017 (Board Review 07), and four videos were recorded on April 24, 2017 (Board Review 08-11). Transcriptions of the preceding videos can be found in Board Reviews 34-44, respectively.

Findings and Recommendations

Allegation A—Abuse of Authority: On April 2, 2017, Police Officer Elvisa Kolenovic entered § 87(2)(b) § 87(2)(b).

Allegation B—Abuse of Authority: On April 2, 2017, Police Officer Anthony Sgueglia entered § 87(2)(b) § 87(2)(b).

Allegation C—Abuse of Authority: On April 2, 2017, Police Officer Christopher Gallino entered § 87(2)(b) § 87(2)(b).

Allegation D—Abuse of Authority: On April 2, 2017, Police Officer Joseph Read entered § 87(2)(b) § 87(2)(b).

On April 2, 2017, at approximately 11:30 p.m., § 87(2)(b) was in his apartment, located at § 87(2)(b) § 87(2)(b) in Queens, with his mother, § 87(2)(b) when he called 911 because his neighbors were harassing him (Board Review 12). During his CCRB interview, § 87(2)(b) explained that he is Jewish and that he is surrounded by his Muslim neighbors, and believes that he is being harassed by them due to his religion. § 87(2)(b) described the harassment from his neighbors as “stomping on floor, on purpose.” § 87(2)(b)

was initially upset when PO Kolenovic and PO Sgueglia responded to his apartment because the officers “were 20 minutes late.” § 87(2)(b) opened his apartment door and spoke to the two officers over the threshold of his door. § 87(2)(b) attempted to explain the harassment he was experiencing, however, the officers were rude, to him. PO Sgueglia allegedly told § 87(2)(b) “Don’t call the police anymore; we don’t want to come over here.” After speaking with PO Kolenovic and PO Sgueglia for a few minutes, § 87(2)(b) stated that the officers left without speaking to his neighbors.

§ 87(2)(b) called 911 a second time and PO Kolenovic and PO Sgueglia responded again, and were accompanied by PO Gallino and PO Read. § 87(2)(b) could not recall whether he or § 87(2)(b) opened the door for the officers. § 87(2)(b) spoke to PO Gallino over the threshold of his apartment door, and again attempted to explain the harassment he was experiencing, and PO Gallino stated, “I don’t hear any banging or harassment.” Mr. § 87(2)(b) replied, “Well, obviously, because you’re here.” § 87(2)(b) and the responding officers argued over the officers’ inability to hear his neighbors stomping, with § 87(2)(b) ultimately believing that the officers were “playing dumb.”

After disputing the nature of his claim, § 87(2)(b) stated that one of the officers called for an EMS unit to respond to the location. § 87(2)(b) stated that the officers told him that he “has to go to the hospital, and has to be seen,” due to the officers not hearing the stomping § 87(2)(b) had described. § 87(2)(b) stated that the officers were attempting “to make out as if I’m crazy or schizophrenic or bipolar, or whatever diagnosis they want to throw at me.” § 87(2)(b) further elaborated that, “all of [his] Muslim neighbors are harassing [him] and the police are in on it, are working with them. Believe me, this is my gut feeling. And it’s probably very true.” § 87(2)(b) walked away from the door and went into the kitchen to smoke a cigarette, as § 87(2)(b) explained to the officers that “everything was fine,” and attempted to close the door, however, PO Kolenovic and PO Gallino prevented her from closing it by holding the door open with their hands.

Once the EMS unit arrived, the officers asked the two responding EMTs if they could enter § 87(2)(b)’s apartment, and the EMTs gave the officers permission to enter. PO Kolenovic, PO Sgueglia, PO Gallino, and PO Read entered § 87(2)(b)’s apartment.

Although § 87(2)(b) was present during the incident, she was ultimately unavailable to the investigation.

PO Kolenovic stated that on April 2, 2017, at approximately 10:49 p.m., she and PO Sgueglia responded to the first 911 call that night from § 87(2)(b) regarding a noise complaint (Board Review 13). PO Kolenovic stated that upon her and PO Sgueglia’s arrival, she did not hear anything. PO Kolenovic and her partner spoke to § 87(2)(b) and stated that he was “rude, [and] irrational,” and stated “Fuck you, you fucking pigs,” and slammed the door on the officers. Approximately 30 minutes later, PO Kolenovic and her partner received a second 911 call from § 87(2)(b) regarding a noise complaint. PO Kolenovic and PO Sgueglia responded, and called for an additional unit, comprised of PO Gallino and PO Read, to respond as well. PO Kolenovic stated that while speaking to § 87(2)(b) a second time that evening, she felt that he should be evaluated due to § 87(2)(b)’s multiple calls to 911 because “he hear things, people are bothering him,” and called for an EMS unit to respond. § 87(2)(b) told PO Kolenovic and the other officers that they could not come into his apartment and there was “nothing wrong” with him. PO Kolenovic stated that once the EMTs arrived, she and the other officers entered § 87(2)(b)’s apartment.

§ 87(2)(g)

PO Sgueglia stated that he has interacted with § 87(2)(b) on numerous occasions, as he has made many 911 calls regarding noise complaints, and described § 87(2)(b) as a chronic caller that “everyone in [107th] command knows” (Board Review 14). When PO Sgueglia and PO Kolenovic responded the second time that evening, accompanied by PO Gallino and PO Read, § 87(2)(b) told the officers that his neighbors “around [him] know where [he is] in the apartment, and they make noise in that room.” PO Sgueglia said that after speaking with § 87(2)(b) for a few minutes, and feeling concerned for his safety based upon his behavior and statements, PO Sgueglia and his partner decided to call EMS to respond in order to have § 87(2)(b) evaluated. Upon the EMTs arrival, the officers entered the apartment.

§ 87(2)(g)

PO Gallino stated that the two EMTs who responded to the incident location knew § 87(2)(b) from past occurrences. As the EMTs came up the stairs, the female EMT told PO Gallino, “he’s going” (Board Review 15). PO Read described § 87(2)(b)’s demeanor as aggressive and agitated, and stated that based upon § 87(2)(b)’s behavior and multiple 911 calls that night, the decision was made to call for an EMS unit in order to have § 87(2)(b) removed to the hospital for an evaluation (Board Review 16). PO Gallino and PO Read were consistent that once the EMTs arrived on scene, the officers entered the apartment.

§ 87(2)(b) recorded six videos (Board Review 01-06) on his cell phone during the incident with PO Kolenovic, PO Sgueglia, PO Gallino, and PO Read. The first three Snagit video clips (Board Review 29, 30, and 31) show § 87(2)(b) criticizing PO Kolenovic and PO Sgueglia regarding their response to his first 911 call, and then his explanation of why he has been calling 911 to PO Gallino. PO Gallino tries to reason with § 87(2)(b) and explains that his complaint against his neighbors is not harassment, and that the officers have not heard any stomping since they have responded. § 87(2)(b) becomes increasingly agitated, stomps on the floor of his apartment causing his downstairs neighbors to exit their apartment, and attempts to close the door on the officers, however, they do not allow him to as they had called an EMS unit to respond. The fourth Snagit video clip (Board Review 32) captures § 87(2)(b) repeatedly telling the officers that he does not need an EMS unit, and the officers repeatedly telling § 87(2)(b) that for his “safety, and for everyone else’s safety,” an EMTs are going to respond and evaluate him. § 87(2)(b) asks PO Gallino if he is calling him crazy, and PO Gallino says no, but repeats to § 87(2)(b) that he is hearing sounds that the officers have not heard and want to make sure he is ok. The fifth Snagit video clip (Board Review 33), shows the back of § 87(2)(b) at the threshold of the apartment door, and the backs of the officers speaking to an unseen female EMT in the hallway. PO Gallino asks the female EMT if she wants to try and speak with § 87(2)(b) and she replies, “Oh, he’s just going.” PO Gallino asks, “He’s just going?” and after the EMT gives an affirmative reply, PO Gallino and PO Kolenovic enter the apartment and approach § 87(2)(b).



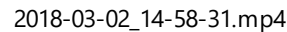
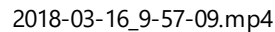
2018-03-16_9-03-22.mp4



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Officers are permitted to enter a premises without a warrant if they reasonably believe that there is an emergency and an immediate need for their assistance for the protection of life or property. People v. Greenleaf, 222 A.D2d 838 (1995) (Board Review 18).

PO Read stated that upon entering the apartment, § 87(2)(b) had retreated into the kitchen and was standing by the kitchen sink with his hands in his pockets (Board Review 16). PO Read stated that as he and the other officers approached, § 87(2)(b) “pulled a knife” on the officers, which he described as an approximately 8-inch steak knife, and “was looking to ditch it somewhere.” PO Read could not recall if he made any statements or issued any commands to § 87(2)(b).

§ 87(2)(b) at that time. PO Read also could not recall if he said to § 87(2)(b) “You tried to pull a knife on an officer? We should take you outside and beat the crap out of you,” but denied hearing any other officer state this phrase during the incident.

§ 87(2)(g) [REDACTED] While PO Kolenovic stated that she could not recall whether § 87(2)(b) voluntarily removed the steak knife or whether the officers removed the knife from him (Board Review 13), PO Sgueglia and PO Gallino stated that § 87(2)(b) removed the approximately 6-inch long steak knife from his pocket on the officers’ approach and the officers ordered § 87(2)(b) to drop the knife, which he quickly threw into the kitchen sink (Board Review 14, Board Review 15). Neither PO Kolenovic, PO Sgueglia, nor PO Gallino could recall if PO Read said to § 87(2)(b) “You tried to pull a knife on an officer? We should take you outside and beat the crap out of you.”

§ 87(2)(g) [REDACTED]

Allegation F—Abuse of Authority: On April 2, 2017, Police Officer Elvisa Kolenovic forcibly removed § 87(2)(b) to the hospital.

Allegation G—Abuse of Authority: On April 2, 2017, Police Officer Anthony Sgueglia forcibly removed § 87(2)(b) to the hospital.

Allegation H—Abuse of Authority: On April 2, 2017, Police Officer Christopher Gallino forcibly removed § 87(2)(b) to the hospital.

Allegation I—Abuse of Authority: On April 2, 2017, Police Officer Joseph Read forcibly removed § 87(2)(b) to the hospital.

§ 87(2)(b) stated that after the officers and EMTs entered his apartment, he was handcuffed, escorted downstairs, strapped into the waiting ambulance, and transported to the § 87(2)(b).

Upon arrival to § 87(2)(b) § 87(2)(b) stated that, “since the EMS workers had already conveyed the image to the nursing staff and doctors...instead of just evaluating me, they kept me there, as mandated, for seven or eight days.” During his CCRB interview, § 87(2)(b) stated that during his stay at § 87(2)(b) he was prescribed medication to treat the symptoms of schizophrenia and bipolar disorder, and although he did not want to take it, § 87(2)(b) was told by the hospital staff that he would not be discharged without taking his medication. During his CCRB interview, § 87(2)(b) explained that he has not been taking his prescribed medication since the date of his release, and further stated, that “even at the hospital, I was spitting it out.” § 87(2)(b) was discharged from § 87(2)(b) on April 10, 2017.

§ 87(2)(b) s medical records, obtained from § 87(2)(b), an inpatient psychiatric hospital, reported that § 87(2)(b) was brought into the § 87(2)(b) by the NYPD and admitted to § 87(2)(b) on April 3, 2017, with an initial diagnosis of psychosis and paranoia, and discharged on April 10, 2017. For further information regarding § 87(2)(b) s stay at § 87(2)(b) see § 87(2)(b) s privileged medical documents (Board Review 19).

PO Kolenovic, PO Sgueglia, PO Gallino, and PO Read were all consistent in that after entering the apartment, the EMTs evaluated § 87(2)(b) on scene, determined that he was displaying paranoid behavior, and decided to remove him to the hospital for further evaluation.

AIDED Report #§ 87(2)(b), prepared by PO Kolenovic for § 87(2)(b) on April 3, 2017, lists § 87(2)(b) as displaying “paranoid behavior, hearing noises” (Board Review 20). PO Kolenovic further reports that § 87(2)(b) “called 911 numerous times...states neighbors banging on floors, walls, doors, each time officers respond, officers do not hear any claimed noises. § 87(2)(b) has paranoid behavior of hearing noises and being harassed.” PO Kolenovic notes that an EMT on scene confirmed § 87(2)(b) s paranoid behavior, and transported him to § 87(2)(b). PO Kolenovic further noted that § 87(2)(b) was in possession of a steak knife, located in his front jacket pocket, that he stated was for his protection and that the officers removed the knife from him.

An officer is required to take a person into protective custody if they believe that the person is apparently mentally ill or emotionally disturbed and conducting themselves in a manner that is likely to result in serious injury to themselves or others. NYPD Patrol Guide, Procedure 221.13 (Board Review 21).

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Allegation J—Abuse of Authority: On April 10, 2017, Sergeant Robert Wong entered § 87(2)(b)

§ 87(2)(b) stated that on April 10, 2017, he was discharged from § 87(2)(b) and returned home to his apartment. At approximately 9:00 p.m. that evening, § 87(2)(b) stated that multiple officers and FDNY EMTs responded to his apartment, and were banging on his apartment door as well as his fire escape window (Board Review 12). § 87(2)(b) stated that he refused to open the door for the officers and EMTs because he knew “what they want[ed] to do, they want[ed] to take me to the hospital again.” When asked why the officers and EMTs had initially responded, § 87(2)(b) stated, “What happened was my neighbors were harassing me, and I had gotten them back.” § 87(2)(b) elaborated that the harassment on this incident date, was that he believed his neighbors were venting smells into his apartment through a hole near his apartment door, and that he had retaliated by taking “some water and mixed it with some urine and I poured it onto my doorway because I knew it would go back at them.” § 87(2)(b) stated that he poured approximately three cups of water mixed with his urine down the hole to his neighbor’s apartment.

§ 87(2)(b) stated that after approximately 15 minutes of speaking to the officers through his apartment door, § 87(2)(b) partially opened the apartment door, however, it was still connected to the chain lock. § 87(2)(b) stated that after his mother opened the door, PO Gallino and PO Sgueglia “broke through the chain” holding the apartment door and entered into

his apartment, followed by approximately 10 officers and an unknown number of EMTs. § 87(2)(b) recalled that the EMTs asked about his recent release from the hospital, and whether he was taking the medication that had recently been prescribed to him. § 87(2)(b) stated during his CCRB interview, “I may have lied to them, or I may have told them the truth, just to like leave me alone...Oh, I told them, ‘Yeah, I’m taking my medication, everything is fine. I’ll follow up with my psychiatrist.’” § 87(2)(b) stated that after speaking with the EMTs, an officer in a light-blue shirt entered into his apartment, and “when he saw what was happening, all the sudden everything changed,” and all 10 officers and the unknown number of EMTs left without explanation.

Sgt. Wong stated that on April 10, 2017, at approximately 9:20 p.m., he received a radio call from one of his officers to respond to an EDP job at § 87(2)(b) § 87(2)(b) (Board Review 22). Sgt. Wong could not recall which specific officer called him to respond, however, the officer informed Sgt. Wong that the officers on scene had attempted to establish contact with the EDP, § 87(2)(b) but he would only open the door “a crack,” and it was still connected to the chain. Sgt. Wong was further informed that § 87(2)(b) was non-responsive and noncompliant with the officers on scene.

Upon arrival outside § 87(2)(b) s apartment, Sgt. Wong stated that approximately four officers were present as well as two EMTs. Sgt. Wong spoke to § 87(2)(b) through the partially opened, but still chained, apartment door, and asked him multiple times to open the door so that the EMTs could evaluate him, however, § 87(2)(b) did not respond and refused to comply. Sgt. Wong described § 87(2)(b) as irate, unable to maintain eye contact, “rambling different things which were incoherent,” and that he repeatedly left the vicinity of the apartment door and ran into various rooms within the apartment. Sgt. Wong asked § 87(2)(b) for his name multiple times but did not receive a response. Sgt. Wong also observed § 87(2)(b) through the partially opened door, and said that she was running through the various rooms within the apartment and crying. Sgt. Wong did not know if she was hurt, or if anyone else was hurt within the apartment, and directed a few of officers on scene to go up to the fire escape and look inside the window to assess the situation.

Sgt. Wong then stepped back approximately 10 feet from § 87(2)(b) s apartment door and spoke with the two EMTs, wherein he asked them if they needed to speak with § 87(2)(b) given the interaction they had witnessed between him and § 87(2)(b) and their prior experience with him. The EMTs told Sgt. Wong that they did need to speak to § 87(2)(b) and called their supervisor to respond to the location. Sgt. Wong stated that while speaking to the EMTs, one of the officers in the hallway forced entry into § 87(2)(b) s apartment. Sgt. Wong stated that he was faced away from the apartment door at the time, and did not witness the entry nor which specific officer made the entry. Sgt. Wong stated that although it was not his decision to forcibly enter § 87(2)(b) s apartment, the forced entry was necessary in order to determine whether § 87(2)(b) was hurt, and whether there was anyone else within the apartment that needed assistance. Sgt. Wong stated that when he heard the door open and saw a group of his officers enter, he immediately followed and entered § 87(2)(b) s apartment. Sgt. Wong did not know if the chain that had been previously holding the apartment was broken during the entry, and denied that § 87(2)(b) ever complained or made any statements regarding the officers damaging his apartment door.

Sgt. Wong stated that once inside § 87(2)(b) s apartment, he and the other officers conducted a protective sweep of the rooms within the apartment in order to determine whether there were any victims of crimes or armed individuals for the safety of the officers and the EMTs

on scene. Sgt. Wong attempted to speak with § 87(2)(b) and determine whether she was ok, however, he stated that she did not speak English, and could not stop crying. Sgt. Wong noted that § 87(2)(b)'s demeanor remained the same throughout the entirety of the incident. Sgt. Wong said that after the EMTs spoke with § 87(2)(b) for approximately five to ten minutes, and determined that he did not need to be removed to the hospital, the officers and the EMTs left § 87(2)(b)'s apartment.

PO Sgueglia stated that when he arrived to § 87(2)(b)'s apartment on April 10, 2017, a group of officers and EMTs had already responded (Board Review 14). PO Sgueglia stated that § 87(2)(b) initially opened his apartment door and briefly spoke to the officers, wherein he stated that he had not been taking his medication and then slammed the door. PO Sgueglia stated that based on prior experience interacting with § 87(2)(b) he called Sgt. Wong and an additional EMS unit to respond. PO Sgueglia stated that he and another officer exited the apartment building, went up the exterior fire escape to § 87(2)(b)'s window, knocked on the window, and ordered § 87(2)(b) to open the door for the officers. PO Sgueglia stated that approximately 10 minutes later, he thought that § 87(2)(b) opened the door for the officers. PO Sgueglia denied that he forced entry into § 87(2)(b)'s apartment or broke the chain on his door, citing that he was on the fire escape at the moment of entry. When PO Sgueglia entered the apartment, § 87(2)(b) was seated on the couch speaking to the EMTs. PO Sgueglia said that after the EMTs evaluated § 87(2)(b) an EMS Lieutenant on scene determined that he did not need to go to the hospital, and all of the officers and EMS personnel left the apartment.

PO Gallino's statement was generally consistent with Sgt. Wong and PO Sgueglia. PO Gallino stated that when he arrived outside of § 87(2)(b)'s apartment, a group of approximately six officers were on scene, Sgt. Wong, and a few EMTs (Board Review 15). PO Gallino said that § 87(2)(b) "eventually" opened the apartment door for the officers and EMTs, however, he added that he could not recall whether "he opened it or what happened."

§ 87(2)(b) recorded one video during the incident (Board Review 07), that shows § 87(2)(b) speaking to an EMT through his closed apartment door, wherein the EMT tell § 87(2)(b) that he is with the fire department, and needs to come inside in order to "do vitals" on him and "check him out." § 87(2)(b) breaks away from the conversation to go to the window by the fire escape, where two officers order § 87(2)(b) to open his door, he refuses, and § 87(2)(b) is heard crying throughout. § 87(2)(b) returns to speak to the EMT through the closed apartment door, wherein the EMT asks § 87(2)(b) again to open the door for them, explains that they cannot leave without properly evaluating him and determining that he is ok, however, § 87(2)(b) tells the EMT to go away and that everything is fine. § 87(2)(b) returns to the window by the fire escape, where the two officers repeatedly order § 87(2)(b) to open the door, to which he replies "I didn't do anything!"



2018-03-07_11-01-36.mp4

Officers are permitted to enter a premises without a warrant if they reasonably believe that there is an emergency and an immediate need for their assistance for the protection of life or property. People v. Greenleaf, 222 A.D2d 838 (1995) (Board Review 18).

§ 87(2)(g)

§ 87(2)(g)

Allegation K—Abuse of Authority: On April 24, 2017, Police Officer Anthony Sgueglia entered § 87(2)(b).

Allegation L—Abuse of Authority: On April 24, 2017, Police Officer Paramveer Singh entered § 87(2)(b).

Allegation M—Abuse of Authority: On April 24, 2017, Police Officer Timothy Gorman entered § 87(2)(b).

Allegation N—Abuse of Authority: On April 24, 2017, Police Officer Matthew Klein entered § 87(2)(b).

§ 87(2)(b) stated that on April 24, 2017, at approximately 7:00 p.m., he and § 87(2)(b) were in their apartment when PO Sgueglia, PO Singh, PO Gorman, and PO Klein knocked on their apartment door (Board Review 12). § 87(2)(b) stated that he thought the officers responded, as in the previous incident dates, because there had been “some banging back and forth” with his neighbors and that they called the police in regards. § 87(2)(b) answered the door and had a brief conversation with the officers over the threshold of his apartment door, wherein he alleged that an officer told him, “We got a report that a crazy person is acting irrationally. We were called and we need to take you to the hospital.”

§ 87(2)(b) further stated that PO Sgueglia asked him if he had been taking his medication, to which § 87(2)(b) replied no. After telling the officers he had not been taking his medication, § 87(2)(b) stated that all four officers entered his apartment “without permission and demanded that I go to the hospital.” § 87(2)(b) stated that when the officers began to walk toward him through the open apartment door, he backed away because “[he] knew that if they got close to [him] they would slap handcuffs on [him].” § 87(2)(b) stated that he went into his apartment and sat “in [his] spot” on the couch.

PO Sgueglia stated on that April 24, 2017, he and his partner, PO Singh, received a radio call for an “EDP job,” at § 87(2)(b) § 87(2)(b) (Board Review 14). When PO Sgueglia and PO Singh arrived, PO Gorman and PO Klein were already on scene. PO Sgueglia stated that the officers knocked on § 87(2)(b) s apartment door and when he answered, § 87(2)(b) became “very combative” upon being informed that EMS had been called to respond in order to evaluate him. § 87(2)(b) asked PO Sgueglia why he and the other officers had come to his apartment, and he explained to § 87(2)(b) that they had received a call for an emotionally disturbed person, and that he, the other officers, and EMS were required to see if he was ok. § 87(2)(b) told PO Sgueglia that he had spent “eight days at § 87(2)(b) and received psych treatment.” PO Sgueglia asked § 87(2)(b) if he had been taking his medication. PO Sgueglia stated that § 87(2)(b) initially answered yes, then said no, and then repeatedly changed his answer. After speaking with § 87(2)(b) over the threshold of the apartment door for a few minutes, PO

Sgueglia stated that § 87(2)(b) allowed the officers to enter, though he could not recall how § 87(2)(b) specifically allowed this.

PO Singh's statement was generally consistent with PO Sgueglia's, with a few exceptions and additional details. PO Singh stated that upon arrival to the incident location, § 87(2)(b) was immediately filming him and the other officers (Board Review 23). PO Singh and the other officers attempted to speak with § 87(2)(b) and get an understanding of why 911 had been called, however, PO Singh said that § 87(2)(b) was upset and irate, and was "putting his cell phone in the officers' faces." After speaking with § 87(2)(b) over the threshold of his apartment for approximately 15 minutes, PO Singh and the other officers entered the apartment because they wanted to see if everything was ok. PO Singh did not recall entering § 87(2)(b)'s apartment without consent, and noted that no force was employed in order to enter the apartment.

PO Gorman (Board Review 24) and PO Klein (Board Review 25) initially did not have any independent recollection of this incident, and did not recall entering § 87(2)(b)'s apartment. However, after being shown one of § 87(2)(b)'s cellphone video's (Board Review 09), and recognizing themselves in the video; both PO Gorman and PO Klein acknowledged their presence within § 87(2)(b)'s apartment on April 24, 2017, although neither PO Gorman nor PO Klein recalled the circumstances of the incident, or how the officers specifically entered into § 87(2)(b)'s apartment.

§ 87(2)(b) recorded four videos (Board Review 08-11) during the incident on April 24, 2017. The first video (Board Review 08) shows PO Sgueglia, PO Singh, PO Gorman, and PO Klein standing in the hallway outside of apartment as § 87(2)(b) exits the apartment and films each officers name plate and badge number. § 87(2)(b) returns inside and states that he does not "know why [police officers] are coming all the time like this," and calls the officers "dirty cops." PO Singh, standing closest to the door, is overheard telling the other officers that the job "came over as an EDP. So a bus is coming." PO Sgueglia then speaks to § 87(2)(b) and the camera, and states § 87(2)(b) remember last...EMS talked to you on the couch? They're going to have to do the same thing this time." § 87(2)(b) tells the officers that he is not going to wait for the ambulance to come, before quickly becoming angry and reminding PO Sgueglia that he was "the one who took me in the first place!" PO Sgueglia replies, "We took you to the hospital to get help."



2018-03-08_17-22-06.mp4

EVENT #§ 87(2)(b) generated as an "Ambulance Case: EDP/INSIDE" in regards to § 87(2)(b)'s neighbor's 911 call, cites an "AIDED male EDP throwing things and stomping on the floor" (Board Review 26), and an EMS unit was immediately dispatched.

An officer is required to take a person into protective custody if they believe that the person is apparently mentally ill or emotionally disturbed and conducting themselves in a manner that is likely to result in serious injury to themselves or others. NYPD Patrol Guide, Procedure 221.13 (Board Review 21).

Officers are permitted to enter a premises without a warrant if they reasonably believe that there is an emergency and an immediate need for their assistance for the protection of life or property. *People v. Greenleaf*, 222 A.D2d 838 (1995) (Board Review 18).

§ 87(2)(g)

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

Allegation O—Abuse of Authority: On April 24, 2017, Police Officer Anthony Sgueglia threatened to remove § 87(2)(b) to the hospital.

Allegation P—Abuse of Authority: On April 24, 2017, Police Officer Paramveer Singh threatened to remove § 87(2)(b) to the hospital.

§ 87(2)(b) stated that a few moments after the officers had entered, two EMTs responded and entered his apartment. During his interview, § 87(2)(b) stated that, “since it was the first time those EMS workers had showed up, [the officers] were trying to persuade the EMS workers, but the EMS workers weren’t in on it.” The officers told the EMTs that § 87(2)(b) “told us that he is not taking his medication. Take him to the hospital’...As if they have that call to say. As if I needed the medication to begin with.” § 87(2)(b) said that one of the EMTs counted the pills from the bottle prescribed to him at the hospital, “[H]e counted every single pill, [and] all 30 pills they dispensed to me at the hospital were there. He knew that I [was] lying, that I pretended to take my medication.” § 87(2)(b) added that the officers were “obviously working with my neighbors and out to get me.” After § 87(2)(b) and § 87(2)(b) spoke with the EMTs and explained the situation, the officers and EMTs left the apartment and did not remove § 87(2)(b) to the hospital.

PO Sgueglia and PO Singh were consistent in their statements that the EMTs responded, spoke with § 87(2)(b) determined that there was no reason to take § 87(2)(b) to the hospital at that time, and the officers and EMTs left § 87(2)(b) s apartment.

§ 87(2)(g)

[REDACTED]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint that § 87(2)(b) has been party to.

- PO Kolenovic, a four-year-member-of-service, has had one other CCRB complaint filed against her, with a total of one allegation which was not substantiated. § 87(2)(g)
- PO Sgueglia, a two-year-member-of-service, has had one other CCRB complaint filed against him, with one allegation which was not substantiated. § 87(2)(g)
- PO Gallino, a two-year-member-of-service, has had no prior CCRB complaints filed against him.
- PO Read, a four-year-member-of-service, has had one prior CCRB complaint filed against him, with a total of two allegations, none of which were substantiated. § 87(2)(g)
- Sgt. Wong, an eight-year-member-of-service, has had one prior CCRB complaint filed against him, with one allegation which was not substantiated. § 87(2)(g)
- PO Singh, a three-year-member-of-service, has had no prior CCRB complaint filed against him.
- PO Gorman, a five-year-member-of-service, has had no prior CCRB complaints filed against him.
- PO Klein, a four-year-member-of-service, has had no prior CCRB complaint filed against him.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- On May 4, 2017, § 87(2)(b) filed a Notice of Claim with the New York City Comptroller's Officer, claiming \$3,000,000 in damages (Board Review 27).
- § 87(2)(b) § (2)

Squad No.: 8

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date

